

OPINION
62-46

May 4, 1962 (OPINION)

CORPORATIONS

RE: Annual Reports - Not Confidential

This is in response to your inquiry whether or not the annual reports of foreign and domestic corporations are confidential.

We find no specific statute relating to this question, however, in examining the provisions of section 44-04-18 of the North Dakota Century Code and the construction placed thereon by the North Dakota Supreme Court in Grand Forks Herald v. Lyons, 101 N.W.2d., 543, we come to the conclusion that these reports are not confidential.

We are inclined to believe that these reports are required, amongst other things, to make certain information available to the general public. Inasmuch as a corporation is a fictitious person and is an entity permitted to be created pursuant to certain statutory provisions is a strong indication that the reports which must be filed with a public office are for the purposes of making certain information available to the public at reasonable hours, etc.

In addition to this, we note that section 10-23-10 of the North Dakota Century Code, specifically provides that certain information received by the Secretary of State through interrogatories is confidential. By direct inference, all of the other information is deemed open to the general public.

LESLIE R. BURGUM

Attorney General